

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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RGI BRANDS LLC, :  
Plaintiff/Counterclaim Defendant, :

-v-

Civil Action No. 12 CV 1369-(BSJ) (AJP)

COGNAC BRISSET- AURIGE S.A.R.L, :  
Defendant/Counterclaim Plaintiff. :

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**NOTICE OF MOTION FOR  
DEFAULT JUDGMENT**

**PLEASE TAKE NOTICE** that, upon: (i) the annexed Declaration under penalty of perjury of Ronald I. Paltrowitz, Esq., dated February 19, 2013; (ii) the annexed Affidavit of Jared Rapp, sworn to on February 19, 2013; (iii) the Memorandum of Law filed herewith; and (iv) upon all prior pleadings and proceedings in the above-captioned matter, RGI Brands LLC ("RGI"), Plaintiff/Counterclaim Defendant, will apply to this Court at the Courthouse, before the Hon. Andrew J. Peck, United States Magistrate Judge, Courtroom 6B, 500 Pearl Street, New York, New York 1007, as soon as counsel may be heard, for an Order pursuant to Rules 55(a) and 55 (b)(2) of the Federal Rules of Civil Procedure ("FRCP") granting RGI a Judgment dismissing the Counterclaim of Cognac Brisset – Aurige ("CB-Aurige"), Defendant Counterclaim/Plaintiff, in its entirety with prejudice, and awarding RGI monetary damages in an amount to be determined by the Court after an Inquest, plus costs and attorney's fees as provided in FRCP Rule 54, on the grounds that CB- Aurige has dismissed its attorneys, who have applied for and been granted leave to withdraw, has not appointed alternative

counsel, cannot appear *pro se*, has defaulted in its discovery obligations, and, as a result, has failed to, and cannot, defend this action as provided by FRCP Rule 55(a).

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Rule 6.1 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, answering papers, if any, must be served within 14 business days of the service hereof.

Dated: New York, New York  
February 19, 2013



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